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Attorneys for Plaintiff

JOBY, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

JOBY, INC.,

Plaintiff,

v.

TOCAD AMERICA, INC.,

Defendant.

Case No. 3:07-cv-06455-SI

**STIPULATED DISMISSAL OF TOCAD'S
COUNTERCLAIMS**

On April 7, 2008, Defendant Tocad America, Inc. ("Tocad") filed a Counterclaim containing three claims of relief against Plaintiff Joby, Inc. ("Joby"). On April 30, 2008, Joby filed a Motion to Dismiss Tocad's Counterclaims. The motion was noticed for hearing on June 6, 2008. At the Case Management Conference held on May 14, 2008, the Court ordered Tocad to file a response to Joby's motion by May 23, 2008.

Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, the parties stipulate and agree that Tocad's Counterclaims are hereby dismissed without prejudice and Joby hereby withdraws its previously filed Motion to Dismiss Tocad's Counterclaims without prejudice, and each party agrees to bear its own fees and costs in relation to the same.

Dated: May 21, 2008

PERKINS COIE LLP

By: /s/ Jason Yurasek
 Jason Yurasek
 Attorneys for Defendant
 TOCAD AMERICA, INC.

Dated: May 21, 2008

FENWICK & WEST LLP

By: /s/ Virginia K. DeMarchi
 Virginia K. DeMarchi
 Attorneys for Plaintiff
 JOBY, INC.

ATTESTATION

I, Jason Yurasek, attest that concurrence in the filing of this document has been obtained by Virginia K. DeMarchi, counsel for Plaintiff Joby, Inc.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 21st day of May, 2008 in Mountain View, California.

/s/ Jason Yurasek
 Jason Yurasek